

**REMARKS**

**I. Status of the Claims**

Claims 1-30 are pending in this application. Claims 7, 9 and 20 are amended to conform the preambles of Claims 7, 9 and 20 with the previously amended Claim 1. No new matter has been added.

**II. Interview Summary**

Applicants thank Examiner Spivack for her time on September 22, 2005, conducting a telephone interview with their undersigned representative. The preambles of claims 7, 9, and 20 were discussed, and Applicants' representative agreed to an Examiner's Amendment to insert --a risk of-- before "mortality" in each of the said preambles.

**III. Information Disclosure Statement**

Applicants submit herewith a Supplemental Information Disclosure Statement (IDS) for consideration by the Examiner. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In addition, Applicants respectfully re-direct the Examiner's attention to the previously submitted IDS and accompanying SB-08 forms, filed on December 28, 2004. Applicants ask the Examiner to please make the appropriate notations indicating that all of the references have now been considered.

Based on the telephone interview with the Examiner, Applicants understand that it is the Examiner's practice not to initial cited information considered inappropriate for listing on the face of an issued patent. Although Applicants are not aware of any

provision supporting this position, Applicants request, as an alternative to initialing the SB-08 form, an express and unambiguous statement on the record that all cited information has been considered, notwithstanding any indication or lack thereof on said forms. This issue was discussed with the Examiner in a telephone interview on September 8, 2005, and Applicants renew their request at this time.

**IV. Obviousness-type Double Patenting**

Claims 1-30 were rejected under the judicially created doctrine of obviousness type double patenting over U.S. Patent No. 5,760,069 which is currently in reissue as a co-pending Application No. 10/721,020. (Office Action, mailed October 14, 2005, at 2.) In an effort to advance prosecution, without necessarily agreeing with the rejection, a Terminal Disclaimer over U.S. Patent No. 5,760,069 is being submitted herewith.

**V. Rejection under 35 U.S.C. § 251**

The rejection under 35 U.S.C. § 251 was maintained for the stated reason that claims 7, 9, and 20 do not include the words --a risk of--, as in amended claim 1. (Office Action, at 2-3). Although Applicants do not necessarily concur with the rejection, claims 7, 9, and 20 are amended herein to obviate the rejection.

**VI. Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of this reissue application.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

The Examiner is respectfully invited to contact Applicants' undersigned representative by telephone at (202) 408-4092 to address any additional matters pertaining to this application.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: March 10, 2006

By: \_\_\_\_\_



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